

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
TO: James Dyer
Zoning Supervisor
FROM: James Thompson
Zoning Enforcement Coordinator
Item No. 297 (if known)
SUBJECT: Petitioner (if known)

VIOLATION CASE # 297
LOCATION OF VIOLATION 122 Smithwood Ave.
DEFENDANT Linda Burke / Mr. Haines

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME ADDRESS
Julio Martin 121 Smithwood Avenue

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: 5/3/88

Mr. & Mrs. C. Alan Burke
122 Smithwood Avenue
Catonsville, Maryland 21228

Re: Petition for Special Hearing
Case Number: 88-452-SPH
W/S Smithwood Avenue, 123' S Edmondson Avenue
(122 Smithwood Avenue)
11th Election District - 5th Councilmanic District
Petitioner(s): C. Alan Burke, et al
HEARING SCHEDULED: TUESDAY, MAY 17, 1988 at 9:00 a.m.

Dear Mr. & Mrs. Burke:

Please be advised that \$21.05 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND No. 52434
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 5/17/88 ACCOUNT R-01-415-000
AMOUNT \$ 71.03
RECEIVED FROM C. Alan Burke
FOR 5/17/88 hearing
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

March 18, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing
Case Number: 88-452-SPH
W/S Smithwood Avenue, 123' S Edmondson Avenue
(122 Smithwood Avenue)
11th Election District - 5th Councilmanic District
Petitioner(s): C. Alan Burke, et al
HEARING SCHEDULED: TUESDAY, MAY 17, 1988 at 9:00 a.m.

Special Hearings The continued use of 122 Smithwood Avenue as a two apartment dwelling.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: Dawn Oley Musgrave, Esq.
C. Alan Burke, et al
Julio Martin
File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner

Date: April 13, 1988

P. David Fields
FROM: Director of Planning and Zoning
Zoning Petition Nos. 88-452-SPH
88-453-SPH, 88-454-SPH
SUBJECT: 88-454-SPH, 88-452-SPH

In view of the subject of this petition, this office offers no comment.

P. David Fields, per J. Haines
P. David Fields
Director

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

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APR 15 1988

ZONING OFFICE

cc: Dawn Oley Musgrave, Esq.
4/14/88 JH

CPS-008



Feb 1, 1988

To whom it may concern,

This is to verify that I, with my family, lived at 122 Smithwood Ave. from 1941 to 1942 at that time the 2nd family we occupied the first floor and Mrs. Craig occupied

To whom it may concern:
I, Isabel Eney Craig, a resident of Catonsville at 117 Smithwood Ave. since 1921, can testify that 122 Smithwood Ave. was originally built as a two apartment house. As a child, I visited and played with the Hawkins boy James and the Wilson children who rented the second floor apartment during 1925 and 1928.

In 1942 thru 1945 my 3yr old daughter was taken care of by Mrs. John Wells who rented the first floor of 122 Smithwood Ave. Between 1928 & 1942 the second floor was rented to Dr. J. Jenerette and his wife, a friend of my mother.

PETITIONER'S EXHIBIT 2 C
122 Smithwood Ave
21228

4200 Heritage Hill Lane
Ellicott City, MD 21043

January 18, 1988

To whom it may concern,

I, William J. Hunt Jr. lived at 125 Smithwood Avenue Catonsville, MD from 1920 to 1952.

This is to advise you that the house at 122 Smithwood Avenue was a two apartment house when it was built and to my knowledge, it is still a two apartment house.

Yours truly,

William J. Hunt Jr.

PETITIONER'S EXHIBIT 2 C

Sworn and subscribed before me this 19 day of January 1988.

John J. Haines
My Commission expires July 1, 1990

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Alan Burke	122 Smithwood Ave.
Julio Martin	121 Smithwood Ave.
James P. Davis	136 Edgewood Ave.
Thomas J. Davis	5 Helix Ave.
W. J. Carroll	203 Hill Ave.
H. E. Lacey	60 Weymouth Rd.
Richard Hunt	277 Hudson Rd.

PETITIONER'S EXHIBIT 2 C

affidavit re 122 Smithwood Ave.
Catonsville, MD
We, the undersigned, were found of the above property. We started negotiations to purchase the property in July 1955 and to purchase the property in July 1955. We purchased the property because it was a two apartment dwelling. We used not have realized it is a two apartment dwelling. People with living in the second floor when we purchased it and we continued to rent it during our residence there. We lived there for 30 years and sold it to the present owner in November 1984. There is no entrance to the second floor from the first floor. One had to go outside and

STATE OF CALIFORNIA
COUNTY OF ...
I, the undersigned, a Notary Public in and for said County and State, personally appeared ...

FOR NOTARY SEAL OR STAMP



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 2, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Dawn Oxley Musgrave, Esquire
One Overbrook Road
Catonsville, Maryland 21228

RE: Item No. 297 - Case No. 88-452-SPH
Petitioner: C. Alan Burke, et ux
Petition for Special Hearing

Dear Ms. Musgrave:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

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ZONING OFFICE



Dennis F. Rasmussen
County Executive

March 31, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items
number 292, 293, 294, 295, (297) 298, 299 and 300.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/pml-b

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

March 2, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

Re: Property Owner: C. Alan Burke, et ux

Location: W/S Smithwood Ave. 123' S. Edmondson Avenue

Item No.: 297

Zoning Agenda: Meeting of 3/1/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *C. Alan Burke*
Planning Group
Special Inspection Division

Noted and
Approved:

John F. O'Neill
Fire Prevention Bureau

/s/

88-452-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
2nd day of March, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner C. Alan Burke, et ux
Petitioner's Attorney Dawn Oxley Musgrave

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee